

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
SEPTEMBER 6, 1972

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 P.M. on Wednesday, September 6, 1972, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - HUGHES, KATNICH,
PINKERTON, SCHAFFER,
EHRHARDT (Mayor)

Absent: Councilmen - None

Also present: City Manager Graves, City Attorney Mullen, Assistant City Manager Peterson, Public Works Director Jones and Planning Director Schroeder.

INVOCATION

The invocation was given by Mayor Ehrhardt.

PLEDGE

Mayor Ehrhardt led the Pledge of Allegiance to the flag.

MINUTES

The Minutes of August 2, 1972, were approved as written and mailed on motion of Councilman Schaffer, Katnich second.

On motion of Councilman Schaffer, Katnich second, the Minutes of August 16, 1972, were approved as written and mailed.

PUBLIC HEARINGS

RECOMMENDATION
OF PLANNING
COMMISSION TO
ADOPT SPECIFIC
PLAN, E. VINE ST

RES. NO. 3668

cc 35 (a)
cc 350

Notice thereof having been published in accordance with law, Mayor Ehrhardt called for the public hearing on the recommendation of the Planning Commission to adopt a Specific Plan for the future development of East Vine Street between Garfield Street and Cherokee Lane. Public Works Director Jones reviewed the proposal as recommended. The following persons were present and spoke on this matter:

Mr. Marvin Hanson, 840 South Garfield Street. Mr. Hanson said he was in opposition to the plan because he feared it would reduce the value of his property.

Miss Esther Cone, 901 South Cherokee Lane. Miss Cone was in opposition because she was of the opinion the plan would have an adverse effect on her property.

Mr. Jacob Bietz, 926 South Central Avenue. Mr. Bietz said he owned property at the corner of South Garfield Street and East Vine Street and

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that the proposed plan would bring the street too close to the structures on his property.

Mrs. Jerry Cox, 323 East Vine Street. Mrs. Cox said she was opposed to the plan because of possible damage to her property and the increased traffic any improvements would bring.

City Manager Graves said that while there was no guarantee on when these improvements would be made, he said in all probability it would be quite sometime in the future.

There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.

Councilman Hughes cited the value of specific plans in attempting to forecast growth patterns in the City. He moved the adoption of Resolution No. 3668 adopting a Specific Plan for East Vine Street between Garfield Street and Cherokee Lane. The motion was seconded by Councilman Schaffer and carried by a unanimous vote.

PRESENTATIONS

LIBRARY BOARD RECOMMENDATION ON NEW LIBRARY SITE

A presentation was made by Lewis P. Singer, president of the Library Board, concerning a recommended site for a new library building. He said the Board has been studying sites for the past year and has selected as the best site the old St. Peter's Lutheran School at the corner of North Church Street and West Locust Street. He said the purpose of the presentation was to get the City Council's reaction to the proposal. He said the 10-cent tax for library building purposes has now accumulated approximately \$204,000. After some discussion on the merits of the site, City Attorney Mullen suggested that the Board take the matter to the Planning Commission for that body's review. The City Council indicated approval of the plan in concept and requested that the Board make a similar presentation to the Planning Commission.

LODI HOUSE-- REQUEST FOR FINANCIAL AID

206

Lawrence Drivon, 404 West Pine Street, a representative of Lodi House, a counseling center, addressed the City Council and explained the purpose of the organization. He said he felt Lodi House was a very worthwhile effort and was deserving of support at least partially by tax monies. He said the program would go out of existence in November if no financial aid was received. Mayor Ehrhardt said he was concerned as to the control on money and suggested fund-raising projects. Councilman Pinkerton said he felt there was too much representation on the Lodi House board of directors by government people. He said there should be representation from the agri-business and industrial sectors.

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Mr. Garland Wright, 2127 Tracy Place, said all service clubs in Lodi have been contacted and are in support of the program. He urged that the City Council give its support. Mrs. Jack Brooks, 9 North Rose Street, said she was very much in support of the program.

Councilman Hughes questioned whether public funds should be put into such an effort. He urged a broad-based community support. Councilman Katnich said the City's support of Lodi House was a chance to develop a locally-administered program.

Mayor Ehrhardt moved that Lodi House be granted the sum of \$3,121 (one-half the amount requested by Lodi House) to finance a six-month period. The motion died for lack of a second. Councilman Katnich then moved that Lodi House be granted \$6,241, the amount requested, to assist in financing the program for one year. The motion was seconded by Mayor Ehrhardt, but failed on the following roll call vote:

Ayes: Councilmen Katnich and Ehrhardt

Noes: Councilmen Hughes, Pinkerton and Schaffer

BOY SCOUT
DEVELOPMENT AT
LODI LAKE PARK

CC 40

CC 27(c)

Recreation and Parks Director Ed De Benedetti presented preliminary plans for the development of an area on the north side of Lodi Lake Park for use by the Boy Scouts and other groups. The plan was prepared by Tom Hoegerman, a Boy Scout. Mr. De Benedetti said the area would be available for overnight camping, nature studies and the like. After some discussion, it was moved by Councilman Hughes, Pinkerton second, that the City Council approve in concept the plans as presented. The motion carried by a unanimous vote. City Manager Graves said there would be some City expenditure involved, but there were certain improvements on the site that the City should make anyway. The Council thanked Tom Hoegerman for his plan.

PLANNING COMMISSION

CC 35(c)

The City Manager gave the following report of the City Planning Commission meeting of August 28, 1972:

TIME LIMIT
ON USE PERMITS

The Planning Commission recommended that certain amendments be made to the Municipal Code as follows:

- (a) Approved Use Permits shall be issued for a period of eighteen (18) months unless a Building Permit has been obtained or the Planning Commission and/or City Council has granted an extension of the time period or an exception to it.

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- (b) In the case of multi-phased uses, such as churches and hospitals, the Use Permit shall be considered in full force and effect if the first phase of development began before the expiration of eighteen (18) months and future phases will be completed in a reasonable length of time.

On motion of Councilman Schaffer, Pinkerton second, the matter was set for public hearing on September 20, 1972.

ACTIONS OF INTEREST

The Planning Commission also took the following action of interest to the City Council:

1. Approved until August 31, 1975, the request of Westmont Development for a Use Permit for a temporary sales complex in connection with sales of homes in a new subdivision on the south side of Century Boulevard between Scarborough Drive and Dartmoor Circle (i.e., Lts 110, 111, 112, 113, and 114 of English Oaks Manor) in an area zones P-D(4), Planned Development District No. 4.
2. Approved the request of Mr. John C. Randolph for a Variance to reduce the required side yard from 5 feet to 3 feet to permit the attachment of a roof between an existing dwelling and existing accessory building at 15 South Orange Avenue in an area zoned R-1, Single-Family Residential.
3. Approved in a modified form the request of Mr. Chester Evans for Variances to increase the allowable sign area from 20-square feet to 205-square feet and the allowable sign height from 20 feet to 45 feet at the Kozy-U Motel, 520 Maple Street in an area zoned for multiple-family residential purposes.

After reviewing Mr. Evans' requests, the Planning Commission took the following actions:

- (a) Approved the relocation of an off-premise pole sign located at the southwest corner of South Cherokee Lane and Maple Street on property belonging to the Rancho Grande Motel to 520 Maple Street with the following conditions:
 - (1) That a neon pole sign existing at 520 Maple Street be removed; and
 - (2) That the flashing arrow located on top of the sign proposed for relocation be removed; and
- (b) Approved a Variance to increase the sign height limit at 520 Maple Street from 20 feet to 35 feet to accommodate the sign approved for relocation.

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4. Denied the request of Mr. Chester Evans for a Use Permit to install a flashing sign at 520 Maple Street in an area zoned for multiple-family residential purposes because it felt a flashing sign in that location would "tend to cause a traffic hazard."
5. Approved the request of Mr. H. V. Dougherty for a Variance to increase the maximum fence height in a required street side yard from 42 inches to 72 inches at 1400 South Church Street in an area zoned R-2, Single-Family Residential.
6. Approved the request of the Emanuel American Lutheran Church for a Variance to increase the maximum area of church identification signs from 20-square feet to 32-square feet at 1540 West Lodi Avenue in an area zoned R-1, Single Family Residential.

COMMUNICATIONS

E. WISNER &
A. WISNER --
REQUESTS WATER
CC 183(W)

The Deputy City Clerk presented a request from Mr. and Mrs. E. Wisner and Mr. and Mrs. A. Wisner, 16100 Willow Avenue and 1231 East Cochran Road, requesting permission for temporary connection to the City's water system. In accordance with the City ordinance, the charge for the service outside the City limits would be one and one-half times the City's water rates. Councilman Schaffer moved, Katnich second, that the request be approved subject to (1) execution of the City's standard agreement, and (2) approval of that agreement by the City Attorney, and (3) said agreement to be recorded with the County Recorder. The motion carried by a unanimous vote. They were informed that no improvements would be paid for by the City.

LETTER OF
APPRECIATION --
LODI ECOLOGY
ACTION

A letter of appreciation from Lodi Ecology Action for City Council cooperation was read by the Deputy City Clerk. The letter also announced September 2, 1972, as the date of the move by Lodi Ecology Action to the City Quonset Hut on North Stockton Street.

ABC LICENSE
CC 76

Notices of Application for Alcoholic Beverage Licenses were received as follows:

1. Jack Morgan, Mr. Jay J's, 105 W. Pine St., on-sale general public premises, person-to-person transfer.
2. Alton P. Brinlee and Juanice L. Brinlee, Stan's Market, 214 N. Cherokee Lane, off-sale general, person-to-person transfer.

HAM LANE &
LOCKEFORD STREET
STUDY
CC 48(a)

A letter was read from Mrs. Jean Acree and Mrs. Sallie Hausler calling for a traffic study of the intersection of Ham Lane and Lockeford Street. They expressed concern for the safety of elementary

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school children using that intersection as a school route. Mayor Ehrhardt acknowledged the letter and referred it to staff.

JUNIOR
ACHIEVEMENT
REQUEST FOR SPACE
cc 6
cc 11(a)

A letter was read from Dr. Robert Breckenridge requesting that space in the basement of City Hall be allocated for use by Junior Achievement until that organization is able to locate in more permanent quarters. It was moved by Councilman Hughes, Schaffer second, that the Junior Achievement organization be granted the use of the east portion of the City Hall Basement for the current program year subject to the following conditions:

1. That the rent be \$30 per month.
2. That they pay a pro-rata share of the utilities.

The motion was passed by a unanimous vote.

PG&E RATE
INCREASE
cc 7(4)

A letter was read from Pacific Gas & Electric Company advising the City of a proposed rate increase effective October 1, 1972, and January 1, 1973. The notice was given in accordance with Rule 24 of the revised Rules of Practice and Procedure of the California Public Utilities Commission.

CITY OF
TORRANCE--

ERECTION OF
ELECTRIC
TRANSMISSION
TOWERS

A letter was read from the City of Torrance protesting the erection of high voltage transmission towers in that city by the Southern California Edison Company. The City Council's support was requested when the matter is brought before the general assembly at the annual conference of the League of California Cities.

GOEHRING
ADDITION --
ANNEXATION

A petition was received from all of the owners of the land proposed to be annexed to the City of Lodi as the "Goehring Addition." Said annexation was approved by the Local Agency Formation Commission of San Joaquin County on July 21, 1972. The Local Agency Formation Commission also granted the City power to waive notice and hearing on the proposed annexation pursuant to the provisions of Section 54797.1 of the Government Code.

RES. NO. 3669
cc 2(a)
cc 350

On motion of Councilman Katnich, Pinkerton second, the City Council adopted Resolution No. 3669 annexing the Goehring Addition to the City of Lodi.

REPORTS OF THE CITY MANAGER

CLAIMS
cc 2(a)

Claims in the amount of \$469,496.89 were approved on motion of Councilman Katnich, Pinkerton second.

FUGAZI VARIANCE --
UTILITY LOCATION
cc 3(a)

Mr. Glen Baumbach, 221 West Oak Street, representing developers of the Fugazi property on West Locust Street, just east of Ham Lane, requested that the developers be permitted to connect to utility lines on the rear of the property instead of the street which is current City policy. Councilman Schaffer announced he would abstain from the discussion and voting because of a possible conflict of interest. Public Works Director Jones said he would like an opportunity to review the request. On motion of Councilman Katnich, Hughes second, the City Council referred the matter to staff for study.

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AGREEMENT WITH
SAN JOAQUIN COUNTY
SAFETY COUNCIL

RES. NO. 3670

City Manager Graves presented for City Council approval the annual agreement with the San Joaquin County Safety Council. The City's contribution for fiscal year 1972-73 is \$1,610. On motion of Councilman Katnich, Schaffer second, the City Council adopted Resolution No. 3670 authorizing the City Manager to sign the agreement.

ACCEPTANCE OF
A-2 BASIN FENCING

The City Council, on motion of Councilman Schaffer Hughes second, accepted the A-2 Retention Basin Fencing as complete and authorized the Public Works Director to file the Notice of Completion on the project.

AWARD -
SUBDIVISION PAVING
1972

RES. NO. 3671

The City Manager presented bids received for Subdivision Paving - 1972 as follows:

Claude C. Wood Company	\$23,808
Teichert Construction	\$26,319

The City Manager recommended the award be made to the low bidder, Claude C. Wood Company. On motion of Councilman Schaffer, Pinkerton second, the Council adopted Resolution No. 3671 awarding the contract for Subdivision Paving - 1972 to Claude C. Wood Company for a total amount of \$23,808.

AWARD -
RECONSTRUCTION
OF VINE STREET

RES. NO. 3672

The City Manager presented bids received for the reconstruction of West Vine Street west of Ham Lane as follows:

Claude C. Wood Company	\$27,355
Teichert Construction	\$31,772

The City Manager recommended the award be made to the low bidder, Claude C. Wood Company. On motion of Councilman Pinkerton, Schaffer second, the Council adopted Resolution No. 3672 awarding the contract for the reconstruction of West Vine Street west of Ham Lane to Claude C. Wood Company for a total amount of \$27,355.

MEMO OF
UNDERSTANDING -

I. B. E. W.

On motion of Councilman Katnich, Schaffer second, the Council approved the terms and conditions of the Memorandum of Understanding between the City of Lodi and the International Brotherhood of Electrical Workers, Local 1245.

ONE-HOUR
PARKING --
HUTCHINS STREET

City Manager Graves reported that a request had been received from the Lodi Unified School District to reduce the restricted parking on West Hutchins Street across the street from Tokay High School from two hours to one hour. The City Manager said restricted parking in this area is very difficult to enforce. He said the parking in this area is designed for visitors to the campus. Mayor Ehrhardt said the school should provide visitor parking.

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Councilman Hughes suggested the matter be discussed with school officials before action is taken. He moved the matter be deferred until such discussions could be held. The motion was seconded by Councilman Katnich and carried unanimously.

BUS ZONE -
ROSE STREET

RES. NO. 3673

The City Manager reported that a request had been received from the Lodi Unified School District to establish a bus zone on the east side of Rose Street from 38 feet south of the centerline of Walnut Street to 86 feet south of that centerline between the hours of 8:00 A.M. and 4:00 P.M. on school days only. He said the zone would be used by school buses transporting students to and from Lodi High School to the auto shop and agricultural buildings at Tokay High School. He added that traffic congestion and noise would also be reduced. On motion of Councilman Schaffer, Pinkerton second, the Council adopted Resolution No. 3673 establishing a bus zone in the area described herein.

AGREEMENT WITH
STATE - UTILITY
LINE

RES. NO. 3674

The City Manager presented an agreement with the State of California for the installation of protection of the City's industrial waste line at the Kettleman Lane grade separation. On motion of Councilman Schaffer, Katnich second, the Council adopted Resolution No. 3674 authorizing the City Manager to execute the agreement.

DRUG ABUSE
ORDINANCE

ORD. NO. 982
INTRODUCED

The City Council introduced Ordinance No. 982 declaring the Council's intention that judges of the Superior Court of San Joaquin County impose the maximum sentence permitted by law upon persons convicted of offenses within the City of Lodi involving marijuana, narcotics or restricted drugs on motion of Councilman Hughes, Pinkerton second. Councilman Katnich requested the record show he abstained from voting.

DRUG ABUSE
ORDINANCE

ORD. NO. 983
INTRODUCED

The City Council introduced Ordinance No. 983 declaring the Council's intention that the District Attorney of San Joaquin County prosecute to the fullest extent of the law all persons charged with in the City of Lodi of violating those provisions of the State Health and Safety Code dealing with marijuana, narcotics or restricted drugs on motion of Councilman Pinkerton, Schaffer second. Councilman Katnich requested the record show he abstained from voting.

Councilman Pinkerton requested that copies of Ordinance No. 982 and Ordinance No. 983 be sent to every city in the State of California.

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NO PARKING
ZONE -
E. VINE STREET

RES. NO. 3675

City Manager Graves reported that traffic congestion at the intersection of Stockton and Vine Streets necessitated parking restrictions. He said the Public Works Director recommended no parking on Vine Street from 95 feet east of the centerline of Stockton Street on the north side of Vine Street and 140 feet east of the centerline of Stockton Street on the south side of Vine Street. The no parking zones in these locations would ease turning movements there. On motion of Councilman Schaffer, Hughes second, the Council adopted Resolution No. 3675 establishing no parking zones as described herein.

PLANS & SPECS -
SCUM REMOVAL
FACILITIES

On motion of Councilman Katnich, Schaffer second, the Council approved plans and specifications for scum removal facilities to be installed at the White Slough Water Pollution Control Plant and authorized advertising for bids thereon.

ACCESS PERMIT -
STOCKTON AUTO
GLASS

Planning Director Schroeder reviewed the request of Stockton Auto Glass for access rights to Cherokee Lane in conjunction with the issuance of a building permit. In answer to a question, the City Manager explained that the City Council had previously instructed the staff to require that development along Cherokee Lane conform to the plan prepared for Cherokee Lane. Councilman Hughes said the City Council should adopt a specific plan for Cherokee Lane so all parties would know for certain the future of the street. On motion of Councilman Schaffer, Katnich second, the Council approved the granting of access to Cherokee Lane to Stockton Auto Glass in exchange for that firm's conformance to the Cherokee Lane beautification plan. The Council stated its desire to review the plans of Stockton Auto Glass when they are ready.

SALUTE TO
COUNCILMAN &
MRS. HUGHES -

The City Council extended its congratulations to Councilman and Mrs. Hughes on the birth of their son, James Alan, on August 24, 1972.

BIRTH OF SON

ORDINANCES

UTILITY OUTLAY
& CAPITAL
IMPROVEMENT
BUDGET

ORD. NO. 981
ADOPTED

Ordinance No. 981, entitled "ADOPTING A UTILITY OUTLAY AND CAPITAL IMPROVEMENT BUDGET FOR THE CITY OF LODI FOR THE FISCAL YEAR BEGINNING JULY 1, 1972, AND ENDING JUNE 30, 1973," having been introduced at a regular meeting on August 16, 1972, was brought up for passage on motion of Councilman Schaffer, Katnich second. Second reading was omitted after reading by title and the ordinance was then passed, adopted and ordered to print by the following vote:

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Ayes: Councilmen - Hughes, Katnich,
Pinkerton, Schaffer
and Ehrhardt

Noes: Councilmen - None

Absent: Councilmen - None

ADJOURNMENT

There being no further business, on motion of Councilman Schaffer, Katnich second, the meeting was adjourned at 12:05 A.M. to 7:00 A.M., Wednesday, September 13, 1972.



Attest: THOMAS A. PETERSON
Deputy City Clerk